THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.25941 of 1996

Dated: 19-09-2006

Between:

B. Krishna Reddy, S/o. Venkataravanappa,
age 40 years, R/o. Malakavaripalli,
H/o. Sunnampalli, O.D. Cheruvu Mandal,
Anantapur District.

..... Petitioner

AND

The Joint Collector, Anantapur,
Anantapur District & two others

..... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.25941 of 1996

ORDER:

This writ petition is filed seeking declaration that the action of respondent Nos.2 and 3 in interfering with the possession and enjoyment of the petitioner in respect of the land to an extent of 20 cents in Survey No.452-1A of Malakavaripalli, hamlet of Sunnampalli, O.D. Cheruvu Mandal, Anantapur District is arbitrary and illegal.

Petitioner states that respondent No.3-Mandal Revenue Officer issued a notice of eviction under Section 6 of the Land Encroachment Act, 1905 and questioning the same he preferred an appeal before respondent No.2-Revenue Divisional Officer. However, the said appeal was dismissed by order dated 07-10-1996 and aggrieved by the same, the petitioner filed a revision before respondent No.1-Joint Collector. Having entertained the said revision petition, respondent No.1 by order dated 08-11-1996 stayed the operation of the orders of respondent Nos.2 and 3.

This writ petition is filed alleging that in spite of the said order of stay granted by respondent No.1, respondent No.3 is interfering with the possession and enjoyment of the petitioner in respect of the land in question.

This Court while ordering *rule nisi* by order dated 05-12-1996, directed the respondents not to interfere with the

possession of the petitioner in respect of the land in question and the same is continued to be in force.

No counter affidavit has been filed on behalf of the respondents.

As noted above, the writ petition was filed during the pendency of the revision petition before respondent No.1. Hence, it is not necessary for this Court to express any opinion on merits.

Accordingly, the Writ Petition is disposed of with a direction to respondent No.1 to dispose of the revision pending on his file by following the due process of law, if not already disposed of. Till such time, the interim order granted by this Court on 05-12-1996 shall continue. No costs.

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G. ROHINI, J

Date:19-09-2006

KLP